

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
COMMERCIAL DIVISION

ORIGINAL

-----X
Application of

THE MAMMA MIA! USA TOUR 2
LIMITED PARTNERSHIP, a New York
Limited Partnership,

Petitioner,

Pursuant to NY CPLR § 7503 and
The United States Arbitration Act, 9 U.S.C. § 1 et seq.
For An Order and Judgment Compelling Respondents
To Arbitrate and Enjoining Respondents From
Pursuing A Civil Action,

-against-

THEATRICAL ARTS INTERNATIONAL, INC. and
THEATRICAL ARTS INTERNATIONAL
FOUNDATION, California corporations,

Respondents.
-----X

Hon. Charles E. Ramos,
Justice

Index No. 602624/06

: **AFFIRMATION OF SERVICE**
: **OF ORDER TO SHOW CAUSE**
: **ET AL.**

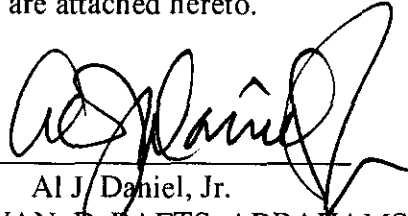
AL J. DANIEL, JR., an attorney duly admitted to practice in the courts of New York,
declares, pursuant to CPLR § 2106, that, on August 4, 2006, pursuant to the Order to Show
Cause issued by this Court on August 4, 2006, I served true copies of the foregoing Order to
Show Cause; Petitioner's Verified Petition to Compel Arbitration & Enjoin Respondents from
Litigation with exhibits 1-7; Memorandum of Law in Support of the Petition; and Emergency
Affirmation of Al J. Daniel, Jr., Esq., upon counsel for respondents by electronic mail in two
separate messages, with PDF files of the documents served attached thereto, addressed to:

John G. Burgee, Esq.
Burgess & Abramoff, Esq.
20501 Ventura Blvd., Suite 262
Woodland Hills, CA 91364

at his email address jburgeon@calcorps.com, and sent a message by facsimile to Mr. Burgee at
818-264-7576, notifying him that the two email messages, with the PDF documents attached,

had been sent to him, and advising him of the hearing scheduled by the Order to Show Cause and of the date and time for any opposing papers.

True copies of the foregoing email messages, facsimile message sent to counsel for Respondents, and the facsimile confirmation page are attached hereto.

A handwritten signature in black ink, appearing to read "Al J. Daniel, Jr.", is written over a horizontal line.

Al J. Daniel, Jr.
COWAN, DeBAETS, ABRAHAMS
& SHEPPARD LLP
41 Madison Avenue, 34th Floor
New York, New York 10010
(212) 974-7474
Fax: (212) 974-8474
Email: adaniel@cdas.com
Attorneys for Petitioner

Date: Fri, 4 Aug 2006 14:04:30 -0400 [08/04/2006 14:04:30 EDT]

From: "Al J. Daniel, Jr." <adaniel@cdas.com>

To: jburgee@calcorps.com

Subject: Mamma Mia v. Theatrical Arts Int'l, S.Ct. NY County

 1 unnamed [text/plain] 1.34 KB

John G. Burgee, Esq.
Burgess & Abramoff, Esq.
20501 Ventura Blvd., Suite 262
Woodland Hills, CA 91364

Mamma Mia! USA Tour 2 LP v. Theatrical Arts et al.,
Index No. 602724/06 (S. Ct. N.Y. Co.)

Dear Mr. Burgee:

Pursuant to the Order to Show Cause of Judge Ramos dated August 4, 2006, I am hereby serving you with the following documents in the above case: Order to Show Cause dated August 4, 2006; Verified Petition to Compel Arbitration & Enjoin Respondents from Litigation, with List of Exhibits and Exhibits 1-7; Memorandum of Law in Support of Petition; and Emergency Affirmation of Al J. Daniel, Jr., Esq.

The last document, Emergency Affirmation, is being sent as an attached to a second email because of file limitations of our email service.









Pursuant to the Order to Show Cause, Respondents are to serve me with any opposing papers by 5:00 p.m. on August 9, 2006, and oral argument is scheduled before Judge Ramos in the Commercial Division of the Supreme Court of the State of New York, New York County, at 9:30 a.m., August 10, 2006, at 60 Centre Street, New York, New York.

Sincerely yours,

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Email: adaniel@cdas.com
Alternate Email: ajdnyc@mac.com

 2 Order to Show Cause.pdf [application/pdf] 83 KB

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-  4 Exhibit 1.pdf [application/pdf] 1,033 KB
-  5 Exhibit 2.pdf [application/pdf] 1,086 KB
-  6 Exhibit 3.pdf [application/pdf] 41 KB
-  7 Exhibit 4.pdf [application/pdf] 1,121 KB
-  8 Exhibit 5.pdf [application/pdf] 641 KB
-  9 Exhibit 6.pdf [application/pdf] 1,221 KB
-  10 Exhibit 7.pdf [application/pdf] 300 KB
-  11 Memo of Law in Support of Pet. to Compel Arb. and Enjoin Respondents from Litigation.pdf [application/pdf] 348 KB

Date: Fri, 4 Aug 2006 14:07:12 -0400 [08/04/2006 14:07:12 EDT]

From: "Al J. Daniel, Jr." <adaniel@cdas.com>

To: jburgee@calcorps.com

Subject: Mamma Mia v. Theatrical Arts Int'l, S.Ct. NY County

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COWAN, DEBAETS, ABRAHAMS & SHEPPARD LLP

ATTORNEYS AT LAW

41 MADISON AVENUE, NEW YORK, NEW YORK 10010

TEL: 212-974-7474 FAX: 212-974-8474

Facsimile Transmission Cover Sheet

TO:

John G. Burgee, Esq.

FROM:

Al J. Daniel, Jr., Esq.

adaniel@cdas.com

FAX NUMBER:

818-264-7576

DATE:

8/4/06

COMPANY:

Burgee & Abramoff, P.C.

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RE:

Mamma Mia! USA Tour 2 LP v.
Theatrical Arts, Index No. 602724/06
(S. Ct. N.Y. Co.)

CC:

☐ URGENT

☐ FOR REVIEW

☐ PLEASE COMMENT

☐ PLEASE REPLY

☐ PLEASE RECYCLE

NOTES/COMMENTS:

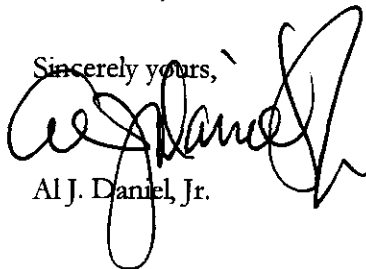
Dear Mr. Burgee:

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These documents were sent by email, rather than fax, at the request of your receptionist Judy, due to the voluminous exhibits. Please contact me if you have any problems with any of the PDF files attached to the emails sent to you.

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Al J. Daniel, Jr.

CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

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

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